

GENTILE CRISTALLI
MILLER ARMENI SAVARESE
COLLEEN E. MCCARTY
Nevada Bar No. 13186
Email: cmccarty@gcmaslaw.com
410 South Rampart Boulevard, Suite 420
Las Vegas, Nevada 89145
Tel: (702) 880-0000
Fax: (702) 778-9709
Attorney for Defendant Charles Scanlan

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHARLES JOSEPH SCANLAN
a/k/a Alex Michaels,

Defendant.

CASE NO. 2:16-CR-00250-GMN-CWH

**UNOPPOSED MOTION TO INSTITUTE
A PRESENTENCE INVESTIGATION
AND REPORT PRIOR TO THE PLEA
HEARING**

Comes now Defendant Charles Joseph Scanlan, by and through counsel, Colleen E. McCarty, Esq., of the law firm of Gentile Cristalli Miller Armeni Savarese, and seeks an order for the probation office to conduct its presentencing investigation and report prior to the entry of the guilty plea. The purpose of this request is to conserve judicial resources. Specifically, counsel asks that the presentence report issue now so that the plea hearing and sentencing may occur on the same day.

Counsel for Mr. Scanlan has conferred with the attorney for the government, who does not oppose this request.

MEMORANDUM OF POINTS AND AUTHORITIES Mr. Scanlan was indicted in South Carolina in 2:15-cr-00767. His case was recently transferred to Nevada, where Mr. Scanlan resides, pursuant to Rule 20. Prior to the transfer, Mr. Scanlan and the government entered a signed plea agreement in which the government agrees to recommend time served and supervised release and it is anticipated that Mr. Scanlan will fall into the 0-6 months sentencing

1 range. *See* ECF 55 (SCD 2:15-cr-00767). Mr. Scanlan's South Carolina attorney, Christopher
 2 W. Adams, who will seek admission to this court *pro hac vice* as soon as the final certificate of
 3 good standing is received, intends to continue representing Mr. Scanlan and will travel into the
 4 district for the plea hearing and sentencing.

5 By way of this motion, Mr. Scanlan consents to a presentence investigation and report by
 6 the probation officers of the United States district courts prior to the entry of his guilty plea. Mr.
 7 Scanlan understands that this investigation and report is for the purpose of obtaining information
 8 useful to the court for sentencing. Mr. Scanlan further understands and agrees that the court will
 9 review the report prior to the entry of the guilty plea so that the court may prepare for sentencing.
 10 Finally, Mr. Scanlan consents to review of his presentence report by a judge at any time,
 11 including the time prior to a finding of guilt **WHEREFORE**, Mr. Scanlan asks the court to
 12 order the probation office to conduct a presentencing investigation and report at this time and
 13 prior to the entry of the entry of the guilty plea and to provide a copy of the report as soon as it is
 14 completed to counsel for objections, if any.

15 DATED this 23rd day of August, 2016.

16
 17 GENTILE CRISTALLI
 MILLER ARMENI SAVARESE

18 /s/ Colleen E. McCarty

19 COLLEEN E. MCCARTY
 20 Nevada Bar No. 13186
 410 South Rampart Boulevard, Suite 420
 21 Las Vegas, Nevada 89145
 Attorney for Defendant Charles Joseph Scanlon

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ORDER

The Court, having reviewed the UNOPPOSED MOTION TO INSTITUTE A PRESENTENCE INVESTIGATION AND REPORT PRIOR TO THE PLEA HEARING, and Good Cause Appearing Therefore, HEREBY ORDERS the probation office to conduct the presentencing investigation and to issue the presentence report prior to the entry of the guilty plea.

IT IS SO ORDERED.


UNITED STATES DISTRICT COURT JUDGE

DATED: August 24, 2016